

My thoughts on text copyright laws

Posted to the Internet Archive text forums on 2009-07-07 at 01:39:16 NZ time

NZ has different copyright rules from the USA which has different rules from the UK, then of course you wonder which rules a book published only in the UK is under when the Text PDF also containing a copyright under UK law ends up on the USA based IA.

What if the UK book, with enclosed copyright notice, was scanned in NZ, then uploaded to the USA based IA?

And then of course the IA and Google Books (and other archives) all have a Terms of Use, and they are all different from each other despite them all being USA based.

So, then for example, if the same still-in-copyright UK book, was scanned in NZ USA France Germany, and all put on the IA at the same time, then downloaded to several countries and copied and sold, would not the copyright owner have to take legal action in several countries, all with different copyright laws and legal procedures.

Scan a UK book in NZ, email it to a friend in France, the person there uploads it to the USA IA. Who is then responsible for breach of copyright? The scanner only made ONE copy. The person in France is working under their copyright laws. And the PDF is only being multiple distributed by a server in the USA. Logically I think, the copyright owner needs to get both the NZer and the guy from France into the same court room, to determine who was responsible or if it was a conspiracy, but which Court room, in the UK, or the USA. And what if those courts have no jurisdiction in NZ or France, meaning, no way to order the two conspirers to pay compensation to the UK based victim?

What if the book itself was carried to a 3rd world country, with no copyright laws itself, and with a legal system that does not work (bribes, etc) scanned and put on a server there?

That would mean the copyright owner had no legal means of redress, and maybe his only option, would be to have all the world's ISPs block that server. That's not an option, not all ISPs are honest.

What if the IA was advised by the copyright owner, that his copyrighted book was on the IA, and that the IA disagreed the book was under copyright, and left it there.

Would the copyright owner take legal action? Its only the threat of legal action, (as per Terms of Use) that results in copyright material being removed from honest WWW sites like IA and Google.

But would the copyright owner carry thru on his threat?

What a mess the copyright laws are. it seems only the Terms of Use on IA and Google (etc) carry any weight, they indicate that just a threat of legal action, will result in them removing a book, leaving the scanner/uploader and copyright owner, to sort it out between themselves.

And there, the side with the most money to buy lawyers always gets its way, whether or not its legal argument is valid.

I recall reading once, about the time when air travel was becoming popular, about the 1920s. Nobody knew what nationality a baby would be, if born on a plane.

The parents being Italian.

The plane half way over the English Channel, Paris to London.

And the plane belonging to a German Air line.

And what about instead of a baby being born, one of the passengers committed murder.

I suppose protection laws can never keep up with new technology, and today, the laws are falling further and further behind.

Its time for one world wide legal system.

But no-way would the USA allow other countries to influence its laws, neither would the UK and NZ.

Its the wild west, we discuss text copyrights, other people discuss porn issues, scams.

Of cause, the WWW is changing the world.

And I foresee the day when one country nukes anther country, over a copyright dispute for one book.

True, without copyright protection, nobody will be producing new books any more.

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This post was modified by Time Traveller on 2009-07-07 01:39:16

Please be aware, that I am kidding regarding the “all rights reserved” message, it was just another point I was making.

Time Traveller July 14, 2009